

2253 Linden St.
Bethlehem, Pennsylvania
June 13, 2012

Clerk of Court
U.S. District Court, ED of PA
504 W. Hamilton Street, Suite 1601
Allentown, PA 18101-1500

- no fee -
- no DFP -

FILED JUN 14 2012

Greetings:

Enclosed is a complaint I would like to file. I will be forwarding application to file without prepaying the filing fee.

If there are any questions I can be reached by telephone at (610) 866-3744.

Yours truly,



Brian C. Humphreys

360 6-14-12

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

BRIAN C. HUMPHREYS,

Plaintiff

vs.

PENN CREDIT,

Defendant

) Case No.:

)

) Violations of Federal Debt

) Collection Law

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COMPLAINT

FILED

JUN 14 2012

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

This is an action for damages and injunctive relief against PENN CREDIT CORPORATION for violations of the Fair Debt Collection Practices Act(FDCPA): Title 47, U.S.C. Chapter 5, Subchapter II, §227 (b) (1) (B) .

PRELIMINARY STATEMENT

1. The Plaintiffs attach evidence that PENN CREDIT CORPORATION violated the consumer protection laws by calling the Plaintiffs after numerous requests to stop calling, including a written request served on them by certified mail.
2. The Plaintiffs will show that the telephone harassment campaign carried out by PENN CREDIT CORPORATION violates not just the letter, but also the intent and spirit of the FDCPA because statistical evidence proves that the majority of consumers voluntarily make an effort to settle their debts, if necessary, by distributing their resources among their creditors until they can fully settle their

obligations. Constant unyielding harassment on the part of a debt collector works against the best interest of the consumer and his creditors.

JURISDICTION AND VENUE

3. The jurisdiction of this Court is conferred by:

a. Title 12, U.S.C. Chapter 27, §2614.

b. Title 15, U.S.C. Chapter 41, Subchapter I, Part B, §1640(e).

4. Venue is proper in this District pursuant to Title 28, U.S.C. Part IV, Chapter 87, §1391(b).

5. This is an action for which damages exceed \$1,800.00

PARTIES

6. Plaintiffs are natural persons and residents of Pennsylvania.

7. Upon information and belief, Defendant is a Pennsylvania corporation.

FACTUAL ALLEGATIONS

8. On June 13, 2011, the Plaintiffs, after having not received cooperation from the Plaintiffs, served a letter, by certified U.S. Mail, on the Defendant, asking that telephone calls to their residence be ceased.¹

¹ Exhibit "A".

1 9. On June 14, 2011 at or around 4:30 p.m., the Defendant placed
3 another call to the Plaintiff's home telephone, strictly contrary to
5 their wishes, as clearly expressed in their letter.


7 WHEREFORE, the Plaintiffs ask for treble statutory damages of
9 \$1500 for the violation because the Defendant refused to stop calling,
11 and then refused to settle for their violation without litigation.

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17 DEMAND FOR JURY TRIAL

19 Plaintiff hereby demands a trial by jury of all issues so triable as a
21 matter of law.

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25 Respectfully submitted,
This 12th day of June, 2012

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FILED
JUN 14 2012
MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk


Brian Humphreys
2253 Linden St.
Bethlehem, Penna.

VERIFICATION OF COMPLAINT

Comes now Brian C. Humphreys, the Plaintiff, does solemnly affirm that the statements contained herein are true and correct in substance and in fact, to wit:

1. I am the plaintiff in this civil proceeding.

2. This civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.

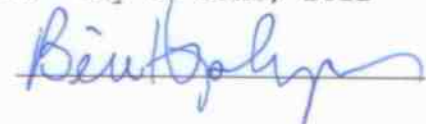
3. This civil Complaint is not interposed for any improper purpose, such as to harass the Defendant, cause unnecessary delay to the Defendant, or create a needless increase in cost of litigation to the Defendant named in the complaint.

4. I have filed this Complaint in good faith and solely for the purposes set forth in it.

5. The exhibit attached to this Complaint is a true and correct copy of the original.

Pursuant to 28 U.S.C. §1746(2), I, Brian C. Humphreys, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Dated this 13th day of June, 2012



Brian Humphreys

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Penn Credit
916 S. 14th St.
P.O. Box 988
Harrisburg, Pa.
17108-0988

2. Article Number

(Transfer from service label)

7011 0470 0001 5051 7342

PS Form 3811, February 2004

Domestic Return Receipt

10235-02 M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x Lisa Crater

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

6/23/11

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only. All Insurance Coverage Provided)

No Delivery Restrictions (For details of restrictions, see PSN 3811-100)

HARRISBURG PA 17108

\$11.44 0600

\$2.85 05

\$2.30 0001

\$0.00 0000

\$1.59 06/23/2011

Penn Credit 916 S. 14th St.
P.O. Box 988
Harrisburg, PA 17108-0988

EXHIBIT "A"